

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

In re: CIRCUIT CITY STORES, INC., <div style="text-align: center;">Debtor.</div>))))))	Case No. 08-35653 Chapter 11
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**DECLARATION OF BRITTANY MAHER IN SUPPORT OF
RESPONSE OF ORIX CAPITAL MARKETS, LLC, TO THE LIQUIDATING TRUST’S
SEVENTEENTH OMNIBUS OBJECTION TO LANDLORD CLAIMS (REDUCTION OF
CERTAIN PARTIALLY INVALID CLAIMS, RECLASSIFICATION OF CERTAIN
MISCLASSIFIED CLAIMS, DISALLOWANCE OF CERTAIN INVALID CLAIMS,
DISALLOWANCE OF CERTAIN LATE FILED CLAIMS, DISALLOWANCE OF
CERTAIN DUPLICATE CLAIMS AND DISALLOWANCE OF
CERTAIN AMENDED CLAIMS
(Claim No. 12420)**

The undersigned, having been duly sworn, states as follows:

1. I am over eighteen (18) years of age.
2. I have personal knowledge of and am competent to testify as to each of the matters set forth herein.
3. I am an asset manager for ORIX Capital Markets, LLC (“ORIX”). ORIX is the special servicer for a trust fund, the beneficial ownership of which is evidenced by various classes of mortgage pass-through certificates known as the Asset Securitization Corporation, Commercial Mortgage Pass-Through Certificates Series 1997 D-5.
4. I have reviewed the payment records maintained by ORIX in connection with real property located at 905 Playa Avenue, Sand City, California. This property is also known as Store No. 1618 (Sand City, CA).

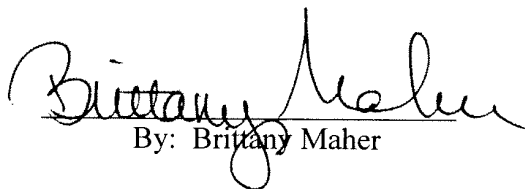
Lawrence A. Katz (VSB No. 47664)
 Kristen E. Burgers (VSB No. 67997)
 8010 Towers Crescent Drive, Suite 300
 Vienna, VA 22182-2707
 P: (703) 760-1600
 F: (703) 821-8949

Counsel for ORIX Capital Markets, LLC

5. Based upon my review of ORIX's payment records, the amounts asserted by ORIX in Claim No. 12420 are accurate.

I DECLARE under the penalty of perjury under 28 U.S.C. §1746 that the contents of the foregoing affidavit are, to the best of my ability and knowledge, true and correct.

Dated: June 2, 2011


By: Brittany Maher